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NEW STAR LASERS, INC. d/b/a COOLTOUCH, INC.

8
9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

13 VNUS MEDICAL TECHNOLOGIES, INC.,

14 Plaintiff,

15 v.

16 BIOLITEC, INC., DORNIER MEDTECH
17 AMERICA, INC., and NEW STAR LASERS,
18 INC. d/b/a COOLTOUCH, INC., DAVID S.
CENTANNI, and TYRELL L. SCHIEK.

19 Defendants.

20 NEW STAR LASERS, INC. d/b/a
21 COOLTOUCH, INC.,

22 Counterclaimant,

23 v.

24 VNUS MEDICAL TECHNOLOGIES, INC.,

25 Counterdefendant.
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Case No. C08-03129-JCS

**DECLINATION TO PROCEED
BEFORE A MAGISTRATE JUDGE
AND REQUEST FOR
REASSIGNMENT TO A UNITED
STATES DISTRICT JUDGE FOR
TRIAL AND DISPOSITION**

1 Defendant New Star Lasers, Inc. d/b/a CoolTouch, Inc. ("CoolTouch") hereby declines to
2 consent to the assignment of this case to a United States Magistrate Judge for trial and
3 disposition. CoolTouch hereby requests the reassignment of this case to a United States District
4 Judge.

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6 Dated: August 6, 2008

Respectfully submitted,

7 ORRICK, HERRINGTON & SUTCLIFFE LLP
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9 By /James W. Geriak

10 JAMES W. GERIAK
11 ALLAN W. JANSEN
12 MARK STIRRAT
13 Attorneys for Defendant
14 NEW STAR LASERS, INC.
15 d/b/a COOLTOUCH, INC.
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CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on August 6, 2008, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send electronic notification of such filing to the following individual(s):

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 6, 2008, at Irvine, California.

s/James W. Geriak
James W. Geriak